

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA**

ANGEL R. SPARROW,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security

Defendant.

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CASE NO.: 3:07-CV-506-TS

ORDER

This matter is before the Court on the Magistrate Judge's Report and Recommendation [DE 20], dated July 31, 2008, making the recommendation that the Court grant the Plaintiff's request to reverse the decision of the administrative law judge (ALJ) and remand this case to the Commissioner of Social Security.

A judge may refer a dispositive matter to a magistrate judge for a Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B), Federal Rule of Civil Procedure 72(b), and Northern District of Indiana Local Rule 72.1(d)(1). On May 2, 2008, this Court assigned Magistrate Judge Christopher Nuechterlein to prepare a report and recommendation on the Plaintiff's Complaint [DE 1] and the subsequent briefing by the parties.

This Court's review of the Magistrate's Report and Recommendation is governed by 28 U.S.C. § 636(b)(1)(C), which provides in part:

A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings and recommendations to which objection is made. A judge of the court may accept, reject, or modify, in whole or in part, the findings and recommendations made by the magistrate. The judge may also receive further evidence or recommit the matter to the magistrate with instructions.

28 U.S.C. § 636(b)(1)(C). The statute also requires objections to the Magistrate's Report and

Recommendations to be made within ten days of service of a copy of the Report. *Id.*

Because no party has filed any objections to the Magistrate's Report, de novo review is not required. This Court finds that the Magistrate has correctly resolved the issues raised by the parties' motions. Therefore, the Court accepts the Magistrate's Report and Recommendations on the Plaintiff's Complaint and the parties' briefs.

CONCLUSION

For the foregoing reasons, the Magistrate's Report and Recommendation [DE 20] is ACCEPTED, the Plaintiff's Complaint request [DE 1] is GRANTED, the ALJ's decision is REVERSED, and the case is REMANDED to the Commissioner for further proceedings consistent with the Report and Recommendation. The Clerk will term the case.

SO ORDERED on October 2, 2008.

s/ Theresa L. Springmann
THERESA L. SPRINGMANN
UNITED STATES DISTRICT COURT
FORT WAYNE DIVISION